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David C. Ripma, Patent Counsel
Sharp Laboratories of America, Inc.
5750 NW Pacific Rim Boulevard
Camas, WA 98607

In re Application of:
Wei Pan et al.
Serial No.: 09/819,296
Filed: March 27, 2001
Attorney Docket No.: SLA 0515

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is a decision on the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON EXAMINER'S FAILURE TO RECEIVE RCE FILED BY APPLICANT" filed on August 25, 2003 under 37 C.F.R. § 1.181(a). There is no fee for this petition. As such, the \$130.00 petition fee charged to the given Deposit Account will be credited to that account.

The petition is **GRANTED**.

The application was held abandoned for failure to file a proper reply to the final Office action mailed on December 31, 2002. A Notice of Abandonment was mailed on August 12, 2003.

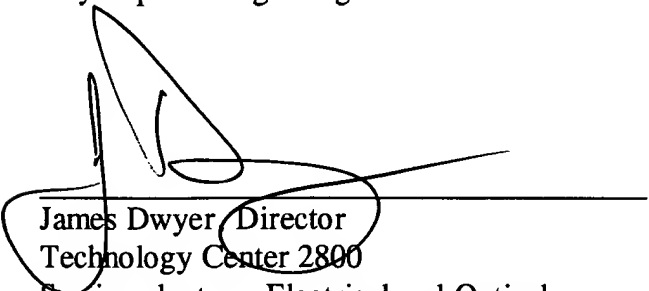
Petitioner asserts that a response (an RCE, a 37 C.F.R. § 1.114 submission and a one-month extension of time) was timely filed via facsimile transmission on April 29, 2003. The evidence provided by the petitioner includes a statement which attests upon a personal knowledge basis to the previous facsimile transmission as well as a copy of the sending unit's report confirming transmission. A copy of the "Auto-Reply Facsimile Transmission" and a copy of the response were also included as attachments to the petition. The copy of the response contains the required certificate of facsimile transmission (dated April 29, 2003) under 37 C.F.R. § 1.8 (a)(1)(ii). The evidence is sufficient under 37 C.F.R. § 1.8 (b) to establish that the response was timely filed.

For the above stated reason, the petition is granted. The Notice of Abandonment mailed August 12, 2003 is hereby **VACATED** and the holding of abandonment is withdrawn.

The copy of the response submitted with the petition on August 25, 2003 is accepted since the response originally submitted was apparently lost.

The response will be processed by the Technology Center 2800 support staff and the examiner will prepare an Office action based upon the response.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.



James Dwyer, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components